

MEMORANDUM

Agenda Item No. 11(A)(19)

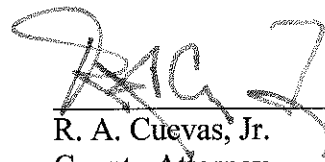
TO: Honorable Vice Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: December 18, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the United
States Secretary of State and all
other relevant federal agencies
to intervene and secure the
prompt release of former
United States Marine Jon
Hammar from his unjust
detention in a Mexican Jail
Resolution No. R-1089-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney


RAC/jls



MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(19)
12-18-12

RESOLUTION NO. R-1089-12

RESOLUTION URGING THE UNITED STATES SECRETARY OF STATE AND ALL OTHER RELEVANT FEDERAL AGENCIES TO INTERVENE AND SECURE THE PROMPT RELEASE OF FORMER UNITED STATES MARINE JON HAMMAR FROM HIS UNJUST DETENTION IN A MEXICAN JAIL

WHEREAS, 27-year-old former United States Marine Jon Hammar is currently being held in a Mexican jail for bringing into Mexico a 60-year-old shotgun that once belonged to his great-grandfather; and

WHEREAS, a United States Customs & Border Protection agent at the border told Hammar that it was not illegal to take the shotgun across the border provided that Hammar registered it, which he did; and

WHEREAS, once Hammar was on the Mexican side of the border, however, Mexican authorities disregarded the registration and he was taken into custody on August 13, 2012 for possession of the shotgun; and

WHEREAS, several days later on August 18, Mexican prosecutors, based on Hammar's possession of the 60-year old shotgun, charged Hammar with possession of a weapon restricted for use only by the Mexican military, a serious charge under Mexican law that carries a sentence of between three and twelve years imprisonment; and

WHEREAS, Mexican criminals routinely wield AK-47 and other assault rifles, sniper rifles and rocket-propelled grenades, Hammar's 60-year old shotgun came nowhere near fitting this category; and

WHEREAS, for the last four months, Hammar has been held in deplorable conditions in a Mexican jail that has included being chained to a bed in a very small cell; and

WHEREAS, in addition, Hammar's family in Palmetto Bay has received calls from fellow inmates threatening Hammar's life if his family did not send them money; and

WHEREAS, Hammar's unjust detention in a Mexican jail is particularly disturbing given that he is someone who has served his country as a United States Marine in combat in both Afghanistan and Iraq; and

WHEREAS, following high school, Hammar joined the Marines and deployed to Afghanistan and then Iraq; and

WHEREAS, in Afghanistan, Hammar's unit provided security for President Hamid Karzai, protected election polls and disrupted insurgent cells around Kabul; and

WHEREAS, in Iraq, Hammar's Marine battalion was involved in intense fighting in Fallujah, one of the most dangerous cities in Iraq, with 13 members of the battalion killed in action and more than 100 wounded; and

WHEREAS, Hammar received an honorable discharge in 2007 and served another four years on inactive reserve; and

WHEREAS, following the brutality of war he experienced in Afghanistan and Iraq, Hammar did not have an easy re-entry into civilian life, dealing with depression and post-traumatic stress disorder; and

WHEREAS, surfing was the one thing that brought him mental peace; and

WHEREAS, Hammar and a friend bought a Winnebago motor home and planned a trip to Costa Rica to surf off the coast there; and

WHEREAS, Hammer was arrested for having the shotgun when he crossed the border into Mexico in the Winnebago en route to Costa Rica to surf; and

WHEREAS, Congresswoman Ileana Ros-Lehtinen, Hammar's congressional representative and Chair of the House Foreign Affairs Committee, as well as Senator Bill Nelson and other federal elected officials have been working with the State Department to secure Hammar's release; and

WHEREAS, this Board would like to join Congresswoman Ros-Lehtinen, Senator Bill Nelson and other federal elected officials in strongly urging the United States Secretary of State and all other relevant federal agencies to intervene and secure the prompt release of Hammar from his unjust detention in a Mexican jail,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the United States Secretary of State and all other relevant federal agencies to intervene and secure the prompt release of former United States Marine Jon Hammar from his unjust detention in a Mexican jail.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation and the United States Secretary of State.

Section 3. Directs the County's federal lobbyists to advocate for the action set forth in Section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2012 and 2013 federal legislative packages to include this item.

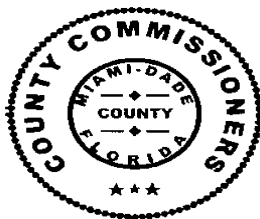
The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Vice Chairwoman	aye
Bruno A. Barreiro	absent	Lynda Bell aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz aye
Sally A. Heyman	aye	Barbara J. Jordan aye
Jean Monestime	aye	Dennis C. Moss aye
Rebeca Sosa	aye	Sen. Javier D. Souto aye
Xavier L. Suarez	absent	Juan C. Zapata aye

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of December, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty